

United States District Court
Southern District of Texas
FILED

JAN 28 2016

David J. Bradley, Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION
STATE OF TEXAS, *et al.*,)

Plaintiffs,)

Case Number: 1:14-cv-00254 (ASH)

v.)

UNITED STATES OF AMERICA, *et al.*,)

Defendants.)
_____)

**MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF
IN OPPOSITION TO DEFENDANTS' EMERGENCY EXPEDITED MOTION**

Article VI

"2: This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all *Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land*; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

MEMORANDUM OF LAW

1. William F. Reade, Jr. is a naturalized American citizen under the authority of the 14th Amendment to the United States Constitution, whose family was required to comply with all of the immigration laws of this nation, and those of their country of origin as required in compliance with the international laws and treaties specified in Article VI of the Constitution of the United States (The Supremacy Clause *id.*)

Article XIV

"All persons born or naturalized in the United States, and *subject to the jurisdiction thereof*, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction *the equal protection of the laws.*"

2. The Court has inherent authority to permit the filing of amicus briefs. *See Gudur v. Deloitte Consulting LLP*, 512 F. Supp. 2d 920, 927 (S.D. Tex. 2007) ("The extent to which the

court permits or denies amicus briefing lies solely within the court's discretion.").

3. Defendant's request would vitiate the Reade's right to equal treatment, in doing so, it would undermine the rule of law. The Court has already ruled that preserving the status quo is important. It should not waiver from that ruling.

Mr. Reade's proposed amicus curiae brief is attached as Exhibit A to this motion. It highlights the existing laws and treaties which should be prima fascia in any consideration for citizenship.

Dated: January 20, 2016

Respectfully submitted,


By: /s/ William F. Reade, Jr. (Pro se)

CERTIFICATE OF SERVICE

I hereby certify that on this 21th day of January, 2016, I filed the foregoing with the Clerk of the Court by mailing the same postage prepaid to David J. Bradley
Clerk of Court
600 E. Harrison St., #101
Brownsville, TX 78520

Along with a request that if filed all of the defendants be electronically notified through the CM/ECF system which will send a notice of electronic filing to counsel for Plaintiffs and Defendants through the Electronic Case Filing System.

A handwritten signature in black ink, appearing to read "William F. Reade, Jr.", written in a cursive style.

William F. Reade, Jr. LTC USA (Ret) Pro se
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ADDENDUM 1

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I am including this information because I believe that what is going on in Washington today is so far out of line with our Constitution that if it was not so criminal it would be laughable. The Informational Data I have enclosed proves two FACTS:

1. Nowhere in the powers vested in the President or in Congress Assembled, is the authority to GRANT AMNESTY.
2. Mr. Obama is not who or what he professes to be. He has committed crimes against humanity misusing power and authority that is not lawfully his. He has obtained the position he now occupies by deceit, and violation of all of the International Laws, and TREATIES the United States has previously agreed to, and is preparing an "amnesty bill" which will violate The Hague Convention and numerous Nation's Citizenship Laws (see Article III § 2, US Constitution below)

These are the International Laws which affect Mr Obama's and my Citizenship, as a naturalized citizen under the jurisdiction of the United States [14th Amendment], which I presented and the Defendants Have to be aware of due to their Positions. *Ignorantia juris non excusat* or *ignorantia legis neminem excusat*, [See USJC Docket No. 15-7602]

Convention on Certain Questions relating to the Conflict of Nationality Laws

(The Hague, 12 April 1930)

CONVENTION ON CERTAIN QUESTIONS RELATING TO THE CONFLICT OF NATIONALITY LAWS

CHAPTER I

GENERAL PRINCIPLES

Article 1

It is for each State to determine under its own law who are its nationals. This law shall be recognised by other States in so far as it is consistent with international conventions, international custom, and the principles of law generally recognised with regard to nationality.

Provided that if the father of such a person is a citizen of the United Kingdom and Colonies by descent only, that person shall not be a citizen of the United Kingdom and Colonies by virtue of this section unless—

- (a) that person is born or **his father was born in a protectorate**, protected state, mandated territory or trust territory or any place in a foreign country **where by treaty, capitulation, grant, usage, sufferance, or other lawful means, His Majesty then has or had jurisdiction over British subjects**

There cannot be any argument to the conclusion that Mr. Obama was definitely a British Citizen at Birth because we cannot arbitrarily obviate or disregard another Nations Laws, just for the sake of one individual's aggrandizement or promotion, without Consequences [see the Hague Convention 1930]. Nor can we **not question** his Citizenship in this Country based on his Mother's status to convey legal citizenship at the time of his birth.

His Mother was born in the United States and his Father was a British subject/citizen. His Mother however, was not of age to meet the residency requirements to convey Citizenship:

..... "providing the U.S. Citizen parent had, prior to the birth of the child, been physically present in the United States for a period of ten years, at least five years of which were after the American parent reached the age of fourteen." She was 18 years of age and in the country only 4 (four) Years after her 14th birthday.

Transmission Requirements for Citizenship:

"Child born in wedlock to one U.S. citizen parent and one non-U.S. Citizen parent between December 24, 1952 and November 13, 1986:, may be entitled to citizenship providing the U.S. Citizen parent had, prior to the birth of the child, been physically present in the United States for a period of ten years, at least five years of which were after the American parent reached the age of fourteen."

"ignorance of the law is no excuse." Justice Sotomayor puts it in slightly more formal terms, but that is the basis for the majority holding that ***Ignorantia juris non excusat*** or ***ignorantia legis neminem excusat*** (Latin for "ignorance of the law does not excuse" or "ignorance of the law excuses no one")

(The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States; between a State and Citizens of another State; between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.) (This section in parentheses is modified by the 11th Amendment.)

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the Supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Amendment 11 - Judicial Limits. Ratified 2/7/1795. Note History

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

Amendment 10 - Powers of the States and People. Ratified 12/15/1791. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Rep. John A. Bingham commenting on Section 1992 said it means “every human being born within the jurisdiction of the United States of parents not owing allegiance to any foreign sovereignty is, in the language of your Constitution itself, a natural born citizen.” (Cong. Globe, 39th, 1st Sess., 1291 (1866))

Under Sec. 1992 of U.S. Revised Statutes the same Congress who had adopted the Fourteenth Amendment, confirmed this principle: “*All persons born*

According to the 30th article of the Constitution of Mexico, there are two ways in which a person can acquire the Mexican nationality, by birth and by naturalization.^[1]

Nationality by birth

The constitution declares that Mexicans by birth (born Mexicans) include the following:^[1]

- individuals born in Mexican territory regardless of the nationality of their parents;
- ***individuals born abroad if one or both of their parents was a Mexican national born in Mexican territory;***
- individuals born abroad if one or both of their parents was a Mexican national by naturalization; and
- individuals born in Mexican merchant or Navy ships or Mexican merchant or Army aircraft

Sincerely

A handwritten signature in cursive script, appearing to read "William F. Reade, Jr.", written in black ink.

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